

REMARKS

Claims 26, 28-32, 34-39, 41-45 and 47-51 are in this application and presented for consideration. By this Amendment, Applicant has amended Claims 26, 32, 39 and 45.

Applicant wishes to thank Examiner Rabago for the courtesy of a telephone interview on January 10, 2007. During this interview, the issues regarding the 35 USC § 112 rejections were discussed.

The invention presents a novel colored thermoplastic molding resin composition which includes a monoazo metal complex compound containing colorant composition which presents a low incidence of skin sensitization as compared to such compositions of the prior art. This is directly related to the colorant composition being over 90% pure. As highlighted in claim 32 and 39 less than 10% of impurity substances of the original non-purified monoazo metal complex compound is present. This is directly related to the lowering of the incidence of skin sensitization. Specifically, as highlighted with regard to the comparative examples (see for example page 30) the non-purified monoazo metal complex compound having a purity of 82.8% has a very high incidence of skin sensitization. The invention allows the molded resin composition to be used in situations where there is constant contact between such composition and a human, with low incidence of sensitization. While newly presented claims 32 and 39 specify the formation of the purified compound from the non-purified compound with the resulting lowering of the incidence of sensitization, claims 26 and 45 highlight the provision of the thermoplastic molding resin composition or molded resin product which essentially comprises the purified monoazo metal complex compound containing coloring composition

and thermoplastic resin. It is believed that the claims as presented define patentable subject matter and the claims as presented are free of the rejections under 35 USC § 112.

Claims 26, 28-32, 34-39, 41-45 and 47-51 have been rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. Applicant has amended the claims to address these issues. The changes made to the claims are supported by the amended specification filed April 13, 2006 on page 4, lines 17-19:

“This monoazo metal complex compound containing composition is desirably such that the purity of the aforementioned monoazo metal complex compound is not less than 90% as determined by high performance liquid chromatography.”

The changes also find support in the amended specification on page 15, lines 9-20:

“According to the production method of the present invention for a monoazo metal complex compound containing composition, it is possible to produce the monoazo metal complex compound containing composition of the present invention, while remaining starting materials and impurity substances associated with monoazo dyes, byproducts and impurity substances associated with metallization of monoazo dyes, and other undesirable substances are removed efficiently. For example, naphthol AS products such as naphthol AS and naphthol AS-D, which are also used as coupling components of monoazo dyes, described with reference to the prior art above, can be removed so that a monoazo metal complex compound containing composition (generally referred to as "monoazo metal complex compound") with almost no sensitizing

potential is obtained.”

As such, it is Applicant's position that the changes are described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention.

Claims 26, 28-32, 34-39, 41-45 and 47-51 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

The present invention relates to a colored thermoplastic molding resin composition. The thermoplastic molding resin composition consists essentially of a monoazo metal complex compound containing colorant composition and a thermoplastic resin. The purity of the monoazo metal complex compound is not less than 90%. The colorant composition contains less than 10% of impurity substances of the non-purified monoazo metal complex compound.

This has been clarified in the claims indicating more particularly the nature of the impurity reference, namely impurities removed from the non-purified compound. As such, it is Applicant's position that the claims are definite and clear and satisfy the requirements of the statute. Accordingly, Applicant respectfully requests that the Examiner favorably consider the claims as now presented.

Further action on the merits is respectfully requested.

Respectfully submitted
For Applicant,

A handwritten signature in black ink, appearing to read 'J. McGlew', with a stylized flourish at the end.

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